

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 7288 of 1996

For Approval and Signature:

Hon'ble MR.JUSTICE M.S.PARIKH

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

SUKHRAMNAGAR CO OP HOUSING SOCIETY LTD

Versus

DISTRICT REGISTRAR OF CO OP. SOCIETIES (CITY)

Appearance:

MR GM JOSHI for Petitioner

MR KC SHAH, AGP for Respondent No. 1

CORAM : MR.JUSTICE M.S.PARIKH

Date of decision: 24/10/96

ORAL JUDGEMENT

Rule. Service of rule waived by Mr. K C Shah, Ld.
AGP for the State.

2. The prayer in this petition reads as under :-

"(A) This Hon'ble Court be pleased to issue a writ of mandamus/certiorari or in the nature of

mandamus/certiorari or any other appropriate writ, direction or order quashing and setting aside the impugned order dated 4/9/1996 at Ann. 'D' passed by the respondent."

3. It is not in dispute that elections have been held during the pendency of this petition and office bearers of the society have also been elected. In that view of the matter, it is obvious that the impugned order dated 4/9/1996 appointing Custodian of the society will not stand. Having heard learned advocate for the petitioner and the Id. AGP for the State on this point, I am of the opinion that the impugned order shall have to be held as not surviving.

Rule made absolute only in the aforesaid terms.
No order as to cost. D.S.P.

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